

FOR THE RELIEF OF SEPANDAN FARNIA AND  
FARBOD FARNIA

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SEPTEMBER 26, 2000.—Referred to the Private Calendar and ordered to be printed

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Mr. HYDE, from the Committee on the Judiciary,  
submitted the following

R E P O R T

[To accompany H.R. 848]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 848) for the relief of Sepandan Farnia and Farbod Farnia, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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PURPOSE AND SUMMARY

This legislation would allow the beneficiaries to be admitted lawfully to the United States for permanent residence.

BACKGROUND AND NEED FOR THE LEGISLATION

In the 105th Congress, this case included the two current beneficiaries' mother. Since then the mother was killed in a car accident.

The boys' father was executed in Iran in 1984. The mother and her young sons hid in Iran for a year before coming to the U.S. and

applying for political asylum. The boys were 7 and 8 years old when they came to the U.S. After 12 years, the application for asylum was denied in April 1997.

In the meantime, these young boys grew up in Oklahoma, graduated from high school, were students at the University of Oklahoma, and now are both working. They have lost both parents, neither boy has any connection to Iran, and they have very little knowledge of the Muslim faith, Iranian culture, or the Farsi language. The boys currently live with their aunt and uncle—their mother's siblings—in Oklahoma.

A private bill is needed because the two brothers do not meet the necessary criteria for permanent residence under any existing categories.

#### COMMITTEE CONSIDERATION

On July 27, 2000, the Subcommittee on Immigration and Claims met in open session and ordered favorably reported the bill H.R. 848, without amendment by voice vote, a quorum being present.

On September 19, 2000, the Committee on the Judiciary met in open session and ordered reported favorably the bill H.R. 848 without amendment by voice vote, a quorum being present.

#### COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 2(l)(3)(A) of rule XI of the Rules of the House of Representatives, the committee reports that the findings and recommendations of the committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

#### COMMITTEE ON GOVERNMENT REFORM FINDINGS

No findings or recommendations of the Committee on Government Reform and Oversight were received as referred to in clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives.

#### NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 2(l)(3)(B) of House Rule XI is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

#### CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 3(d)(2) of rule XIII of the Rules of the House of Representatives, the committee believes that the bill would have no significant impact on the Federal budget. This is based on the Congressional Budget Office cost estimate on H.R. 848. That Congressional Budget Office cost estimate follows:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, September 22, 2000.*

Hon. HENRY J. HYDE, *Chairman,*  
*Committee on the Judiciary,*  
*House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed three private relief bills, which were ordered reported by the House Committee on the Judiciary on September 19, 2000. CBO estimates that their enactment would have no significant impact on the federal budget. These bills could have a very small effect on fees collected by the Immigration and Naturalization Service and on benefits paid under certain federal entitlement programs. Because these fees and expenditures are classified as direct spending, pay-as-you-go procedures would apply. The bills reviewed are:

- H.R. 848, a bill for the relief of Sepandan Farnia and Farbod Farnia;
- H.R. 3184, a bill for the relief of Zohreh Farhang Ghahfarokhi; and
- H.R. 3414, a bill for the relief of Luis A. Leon-Molina, Ligia Padron, Juan Leon Padron, Rendy Leon Padron, Manuel Leon Padron, and Luis Leon Padron.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz, who can be reached at 226-2860. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

Sincerely,

DAN L. CRIPPEN, *Director.*

cc: Honorable John Conyers Jr.  
Ranking Democratic Member

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to rule XI, clause 2(1)(4) of the Rules of the House of Representatives, the committee finds the authority for this legislation in Article 1, Section 8, Clause 4 of the Constitution.

#### AGENCY VIEWS

The comments of the Immigration and Naturalization Service on H.R. 848 are as follows:

U.S. DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
*Washington, DC, January 27, 1999.*

Hon. HENRY J. HYDE, *Chairman,*  
*Committee on the Judiciary,*  
*House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: This is in reference to your request for a report relative to H.R. 848, for the relief of Sepandan Farnia and Farbod Farnia, there is enclosed a memorandum of information concerning the beneficiaries.

The bill would grant the beneficiaries permanent residence status in the United States as of the date of its enactment, upon filing

an application. It would also direct that visa number deductions be made from the beneficiaries' native country.

Sincerely,

FOR THE COMMISSIONER,  
GERRI L. RATLIFF, *Acting Director,*  
*Congressional Relations.*

Enclosure

cc: Department of State, Visa Office  
District Director—Dallas, Texas

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND  
NATURALIZATION SERVICE FILES RE: H.R. 848

The beneficiary, Sepandan Farnia, A28 671 907, a native of Iran, was born on August 26, 1976, in Isfahan, Iran. Sepandan currently resides at 1200 West Brooks, Norman, Oklahoma 73069. Sepandan is currently employed at the Red River Ranch Restaurant in Norman, Oklahoma, with an income of about \$7 an hour. Sepandan has estimated assets of about \$32,000 part in mutual funds and part in a family-owned restaurant soon to open in the Oklahoma City, Oklahoma area.

The beneficiary, Farbod Farnia, A28 671 908, a native of Iran, was born on September 9, 1977, in Isfahan, Iran. Farbod currently resides at 1408 Garfield, Norman, Oklahoma 73072. Farbod is currently employed by the Norman Regional Hospital with an income of about \$6.50 an hour. Farbod has estimated assets of about \$30,000 part in mutual funds and part in a family-owned restaurant soon to open in the Oklahoma City, Oklahoma area.

The beneficiaries are currently enrolled at Oklahoma University. Sepandan said he's a full-time student and expects to graduate with a degree in Philosophy in December 1999 from Oklahoma University. Farbod said he hopes to graduate from Oklahoma University soon also.

The beneficiaries were inspected and admitted into the United States on January 4, 1985, at New York, New York, as B-2 visitors for pleasure. They were granted permission to remain in the United States until July 3, 1985. They became legally removable from the United States on July 3, 1985, as having remained longer in the United States that permitted by law.

An Order to show Cause was issued to the beneficiaries on May 25, 1989, charging deportability under Section 241(a)(2) of the Immigration and Nationality Act. On June 6, 1990, the beneficiaries requested asylum and a withholding of deportation. On June 29, 1990, the Immigration Judge denied both related requests and granted voluntary departure. On December 7, 1994, an appeal was filed and the Board of Immigration Appeals dismissed the appeal. On March 2, 1995, a petition for review was filed at the 10th Circuit of Appeals and was subsequently also dismissed.

Checks made to the national agencies were mail on May 19, 1999, to the Criminal Justice Information Services, and Federal Bureau of Investigation in Clarksburg, West Virginia. The finger-

prints were resubmitted to Clarksburg, West Virginia, on July 23, 1999, and the results are pending.

